

2012-13-14

PAPUA NEW GUINEA

MINUTES OF PROCEEDINGS

OF THE

NATIONAL PARLIAMENT

No. 71

Wednesday, 19 February, 2014

- 1 The Parliament met at ten o'clock a.m., pursuant to adjournment. The Speaker (Mr Theo Zurenuoc) took the Chair and in accordance with Standing Order 34, invited Mr Anton Yagama (Member for Usino-Bundi) to say Prayers.

2. **PRESENTATION OF PETITION:** Mr Jim Kas (Governor for Madang Province) presented a petition from the people of Iabu Local Level Government and Kukurais of Manam Island in the Madang Province that the Government look into the settlers overdue stay in the care centres since 2004 up until now, no cash income due to insufficient land since 2004, school fee problem, lack of basic necessities, resettlement plan and social problems at care centres, the new management committee under Madang administration, National Taskforce to investigate Manam funds, Deputy Prime Minister to take full control of resettlement project, peace and reconciliation for the Kukurais and Iabu Local Level Government to reconcile with Bogia MP, Housing and Water Supply in the care centres, donor forums, memorandum of agreement and Iabu Local Level Government resolutions.
Petition received.

3 **QUESTIONS:** Questions without notice were asked.

4 **SUSPENSION OF STANDING ORDERS – RE-ARRANGEMENT OF BUSINESS:** Mr James Marape (Leader of Government Business), by leave, moved – That so much of the standing orders be suspended as would prevent orders of the day Nos. 92, 91, 39, 89 and notice Nos. 114, 115, 116, 117, 118 and 119, Government Business, being called on forthwith.
Question – put and passed.

5 **ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL LEVEL GOVERNMENTS (DISTRICT DEVELOPMENT AUTHORITY) (AMENDMENT) LAW 2013:** The order of the day having been read for the second required opportunity for debate and Second Vote –

Paper: The Speaker (Mr Theo Zurenuoc), pursuant to statute, presented the following paper:

Permanent Parliamentary Committee on Constitutional Laws and Acts and Subordinate Legislation – Report to Parliament on Organic Law on Provincial Government and Local Level Government (District Development Authority (Amendment) Law 2013.

Mr Solan Mirisim (Chairman), by leave, made a statement in connection with the report.

Mr Peter O’Neill (Prime Minister) moved – That the proposed Law be now read a third time and commenced the second required opportunity for debate.

Conclusion: Sir Puka Temu (Minister for Public Service) moved – That the debate do now conclude.

Question – That the debate do now conclude – put and passed.

Ordered – That the Bells be rung.

And the question – That the proposed Law be read a third time – put.

Second Vote: The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) –

AYES, 91

Mr Aide Ganasi
Mr Ano Pala
Mr Anton Yagama
Mr Assik Tommy Tomscoll
Mr Ati Wobiro
Mr Ben Micah
Mr Benjamin Philip
Mr Benjamin PoPONAWA
Mr Benny Allan
Mr Bob Dadae
Mr Boka Kondra
Mr Byron Chan
Mr Charles Abel

Mr Daniel Mona
Mr Davis Steven
Mr De Kewanu
Ms Delilah Gore
Mr Don Polye
Mr Douglas Tomuriesa
Mr Ereman Tobaining Jnr
Mr Ezekiel Anisi
Mr Fabian Pok
Mr Francis Awesa
Mr Francis Potape
Mr Garry Juffa
Mr Gisuwat Siniwin

Mr Gordon Wesley	Mr Nick Kuman
Mr Isaac Waigavara	Mr Nixon Duban
Mr James Gau	Mr Nixon Mangape
Mr James Lagea	Mr Noah Kool
Mr James Marape	Mr Paias Wingti
Mr Jeffery Kuave	Mr Patrick Pruaitch
Mr Jim Kas	Mr Paul Isikiel
Mr Jim Miringtoro	Mr Pesab Jeffery Komal
Mr Jim Simatab	Mr Peter Ipatas
Mr Joe Koim Komun	Mr Peter O'Neill
Mr Joe Lera	Mr Philip Undialu
Mr Joe Sungi	Mr Powes Parkop
Mr John Hickey	Sir Puka Temu
Mr John Pundari	Mr Richard Maru
Mr John Simon	Mr Richard Mendani
Mr Johnson Tuke	Mr Robert Atiyafa
Mr Joseph Lelang	Mr Robert Ganim
Ms Julie Soso Akeke	Mr Ron Ganarafa
Sir Julius Chan	Mr Ronny Knight
Mr Justin Tkachenko	Mr Roy Biyama
Mr Kelly Naru	Mr Salio Waipo
Mr Kila Haoda	Mr Sasindra Muthuvel
Mr Koi Trape	Mr Solan Mirisim
Mr Leo Dion	Mr Steven Kamma
Ms Loujaya Toni	Mr Theo Zurenuoc
Mr Louta Atoi	Mr Titus Philemon
Mr Mai Dop	Mr Tobias Kulang
Mr Malakai Tabar	Mr Wera Mori
Mr Mao Zeming	Mr Westley Nukundj
Mr Mark Maipakai	Mr William Duma
Mr Mehrra Minnie Kipefa	Mr William Powi
Mr Michael Malabag	Mr William Tongamp
Mr Mogerema Sigo Wei	

NOES, 0

And so, it was resolved in the affirmative, with the concurrence of a two-thirds absolute majority, as required by the *Constitution* –Proposed Law read a third time.

6 **CONSTITUTIONAL AMENDMENT (INDEPENDENT COMMISSION AGAINST CORRUPTION) LAW 2013:** The order of the day having been read for the second required opportunity for debate and Second Vote -

Paper: The Speaker (Mr Theo Zurenuoc), pursuant to statute, presented the following paper:

*Permanent Parliamentary Committee on Constitutional Laws and Acts and Subordinate Legislation – Report to Parliament on **Constitutional Amendment (Independent Commission Against Corruption) Law, 2013.***

Mr Solan Mirisim (Chairman), by leave, made a statement in connection with the report.

Mr Peter O’Neill (Prime Minister) moved – That the proposed Law be now read a third time and commenced the second required opportunity for debate and Second Vote.

Debate ensued.

Conclusion: That the debate do now conclude – put and passed.

Ordered – That the Bells be rung.

And the question – That the proposed Law be now read a third time – put.

Second Vote: The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) –

AYES, 91

Mr Aide Ganasi	Mr James Lagea
Mr Ano Pala	Mr James Marape
Mr Anton Yagama	Mr Jeffery Kuave
Mr Assik Tommy Tomscoll	Mr Jim Kas
Mr Ati Wobiro	Mr Jim Miringtoro
Mr Ben Micah	Mr Jim Simatab
Mr Benjamin Philip	Mr Joe Koim Komun
Mr Benjamin Poponawa	Mr Joe Lera
Mr Benny Allan	Mr Joe Sungi
Mr Bob Dadae	Mr John Hickey
Mr Boka Kondra	Mr John Pundari
Mr Byron Chan	Mr John Simon
Mr Charles Abel	Mr Johnson Tuke
Mr Daniel Mona	Mr Joseph Lelang
Mr Davis Steven	Ms Julie Soso Akeke
Mr De Kewanu	Sir Julius Chan
Ms Delilah Gore	Mr Justin Tkachenko
Mr Don Polye	Mr Kelly Naru
Mr Douglas Tomuriesa	Mr Kila Haoda
Mr Ereman Tobaining Jnr	Mr Koi Trape
Mr Ezekiel Anisi	Mr Leo Dion
Mr Fabian Pok	Ms Loujaya Toni
Mr Francis Awesa	Mr Louta Atoi
Mr Francis Potape	Mr Mai Dop
Mr Garry Juffa	Mr Malakai Tabar
Mr Gisuwat Siniwin	Mr Mehrra Minnie Kipefa
Mr Gordon Wesley	Mr Michael Malabag
Mr Isaac Waigavara	Sir Michael Somare
Mr James Gau	Mr Mogerema Sigo Wei

Mr Nick Kuman	Mr Robert Ganim
Mr Nixon Duban	Mr Ron Ganarafo
Mr Nixon Mangape	Mr Ronny Knight
Mr Noah Kool	Mr Roy Biyama
Mr Paias Wingti	Mr Salio Waipo
Mr Patrick Pruaitch	Mr Sasindra Muthuvel
Mr Paul Isikiel	Mr Solan Mirisim
Mr Pesab Jeffery Komal	Mr Steven Kamma
Mr Peter Ipatas	Mr Titus Philemon
Mr Peter O'Neill	Mr Tobias Kulang
Mr Philip Undialu	Mr Wera Mori
Mr Powes Parkop	Mr Westley Nukundj
Sir Puka Temu	Mr William Duma
Mr Richard Maru	Mr William Powi
Mr Richard Mendani	Mr William Tongamp
Mr Robert Atiyafa	

NOES, 0

And so, it was resolved in the affirmative, with the concurrence of a two-thirds absolute majority, as required by the *Constitution* –Proposed Law read a third time.

- 7 **CONSTITUTIONAL AMENDMENT (APPOINTMENT OF CERTAIN OFFICES) LAW 2013:** The order of the day having been read for the second required opportunity for debate and Second Vote -
- Paper:* The Speaker (Mr Theo Zurenuoc), pursuant to statute, presented the following paper:
- Permanent Parliamentary Committee on Constitutional Laws and Acts and Subordinate Legislation – Report to Parliament on Constitutional Amendment (Appointment of Certain Offices) Law, 2013.*
- Mr Solan Mirisim (Chairman), by leave, made a statement in connection with the report.
- Sir Puka Temu (Minister for Public Service) moved – That the proposed Law be now read a third time and commenced the second required opportunity for debate.
- Debate ensued.
- Conclusion:* That the debate do now conclude – put and passed.
- Ordered – That the Bells be rung.
- And the question – That the proposed Law be now agreed to – put.
- Second Vote:* The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) –

AYES, 92

Mr Aide Ganasi	Mr Kelly Naru
Mr Ano Pala	Mr Kerenga Kua
Mr Anton Yagama	Mr Kila Haoda
Mr Assik Tommy Tomscoll	Mr Koi Trape
Mr Ati Wobiro	Mr Leo Dion
Mr Ben Micah	Ms Loujaya Toni
Mr Benjamin Philip	Mr Louta Atoi
Mr Benjamin Poponawa	Mr Mai Dop
Mr Benny Allan	Mr Malakai Tabar
Mr Bob Dadae	Mr Mao Zeming
Mr Boka Kondra	Mr Mark Maipakai
Mr Byron Chan	Mr Mehrra Minnie Kipefa
Mr Charles Abel	Mr Michael Malabag
Mr Daniel Mona	Sir Michael Malabag
Mr Davis Steven	Mr Mogerema Sigo Wei
Mr De Kewanu	Mr Nick Kuman
Ms Delilah Gore	Mr Nixon Duban
Mr Don Polye	Mr Nixon Mangape
Mr Douglas Tomuriesa	Mr Noah Kool
Mr Ereman Tobaining Jnr	Mr Paias Wingti
Mr Ezekiel Anisi	Mr Patrick Pruaitch
Mr Fabian Pok	Mr Paul Isikiel
Mr Francis Awesa	Mr Pesab Jeffery Komal
Mr Francis Potape	Mr Peter Ipatas
Mr Garry Juffa	Mr Peter O'Neill
Mr Gisuwat Siniwin	Mr Philip Undialu
Mr Gordon Wesley	Mr Powes Parkop
Mr Isaac Waigavara	Sir Puka Temu
Mr James Gau	Mr Richard Maru
Mr James Lagea	Mr Richard Mendani
Mr James Marape	Mr Robert Atiyafa
Mr Jeffery Kuave	Mr Robert Ganim
Mr Jim Kas	Mr Ron Ganarafa
Mr Jim Miringtoro	Mr Ronny Knight
Mr Jim Simatab	Mr Roy Biyama
Mr Joe Koim Komun	Mr Salio Waipo
Mr Joe Lera	Mr Sasindra Muthuvel
Mr Joe Sungi	Mr Solan Mirisim
Mr John Hickey	Mr Steven Kamma
Mr John Pundari	Mr Titus Philemon
Mr John Simon	Mr Tobias Kulang
Mr Johnson Tuke	Mr Wera Mori
Mr Joseph Lelang	Mr Westley Nukundj
Ms Julie Soso Akeke	Mr William Duma
Sir Julius Chan	Mr William Powi
Mr Justin Tkachenko	Mr William Tongamp

NOES, 0

And so, it was resolved in the affirmative, with the concurrence of a two-thirds absolute majority, as required by the *Constitution* –Proposed Law read a third time.

- 8 **ORGANIC LAW ON PROVINCIAL GOVERNMENT AND LOCAL LEVEL GOVERNMENT (AMENDMENT) LAW 2013:** The order of the day having been read for the second required opportunity for debate and Second Vote - Sir Puka Temu (Minister Public Service) moved – That the proposed Law be now read a third time and commenced the second required opportunity for debate.

Debate ensued.

Conclusion: That the debate do now conclude – put and passed.

Ordered – That the Bells be rung.

And the question – That the proposed Law be now read a third time – put.

Second Vote: The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) –

AYES, 92

Mr Aide Ganasi	Mr James Lagea
Mr Ano Pala	Mr James Marape
Mr Anton Yagama	Mr Jeffrey Kuave
Mr Assik Tommy Tomscoll	Mr Jim Kas
Mr Ati Wobiro	Mr Jim Miringtoro
Mr Ben Micah	Mr Jim Simatab
Mr Benjamin Philip	Mr Joe Koim Komun
Mr Benjamin Poponawa	Mr Joe Lera
Mr Benny Allan	Mr Joe Sungi
Mr Bob Dadae	Mr John Hickey
Mr Boka Kondra	Mr John Pundari
Mr Byron Chan	Mr John Simon
Mr Charles Abel	Mr Johnson Tuke
Mr Daniel Mona	Mr Joseph Lelang
Mr Davis Steven	Ms Julie Soso Akeke
Mr De Kewanu	Sir Julius Chan
Ms Delilah Gore	Mr Justin Tkachenko
Mr Don Polye	Mr Kelly Naru
Mr Douglas Tomuriesa	Mr Kerenga Kua
Mr Ereman Tobaining Jnr	Mr Kila Haoda
Mr Ezekiel Anisi	Mr Koi Trape
Mr Fabian Pok	Mr Leo Dion
Mr Francis Awesa	Ms Loujaya Toni
Mr Francis Potape	Mr Louta Atoi
Mr Garry Juffa	Mr Mai Dop
Mr Gisuwat Siniwin	Mr Malakai Tabar
Mr Gordon Wesley	Mr Mao Zeming
Mr Isaac Waigavara	Mr Mark Maipakai
Mr James Gau	Mr Mehrra Minnie Kipefa

Mr Michael Malabag	Mr Richard Mendani
Sir Michael Somare	Mr Robert Atiyafa
Mr Mogerema Sigo Wei	Mr Robert Ganim
Mr Nick Kuman	Mr Ron Ganarafa
Mr Nixon Duban	Mr Ronny Knight
Mr Nixon Mangape	Mr Roy Biyama
Mr Noah Kool	Mr Salio Waipo
Mr Paias Wingti	Mr Sasindra Muthuvel
Mr Patrick Pruaitch	Mr Solan Mirisim
Mr Paul Isikiel	Mr Steven Kamma
Mr Pesab Jeffery Komal	Mr Titus Philemon
Mr Peter Ipatas	Mr Tobias Kulang
Mr Peter O'Neill	Mr Wera Mori
Mr Philip Undialu	Mr Westley Nkundj
Mr Powes Parkop	Mr William Duma
Sir Puka Temu	Mr William Powi
Mr Richard Maru	Mr William Tongamp

NOES, 0

And so it was resolved in the affirmative with the concurrence of a two-thirds absolute majority as required by the *Constitution* – Proposed Law read a second time.

- 9 **SUSPENSION OF STANDING ORDERS – RE-ARRANGEMENT OF BUSINESS:** Mr James Marape (Leader of Government Business), by leave, moved – That so much of the standing orders be suspended as would prevent orders of the day No. 89, Government Business, being called on forthwith.
Question – put and passed.
- 10 **CONSTITUTIONAL AMENDMENT (CITIZENSHIP) LAW 2013:** The order of the day having been read for the second required opportunity for debate and Second Vote –
Paper: The Speaker (Mr Theo Zurenuoc), pursuant to statute, presented the following paper:
Permanent Parliamentary Committee on Constitutional Laws, Acts and Subordinate Legislations – Report relating to Constitutional Amendment (Citizenship) Law 2013
Mr Kerenga Kua (acting Minister for Foreign Affairs and Trade) moved – That the proposed Law be now read a third time and commenced the second required opportunity for debate.
Debate ensued.
Conclusion: – That the debate do now conclude – put and passed.
Ordered – That the Bells be rung.

And the question – That the proposed Law be now read a third time – put.
Second Vote: The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) –

AYES, 90

Mr Aide Ganasi	Mr Justin Tkachenko
Mr Ano Pala	Mr Kelly Naru
Mr Anton Yagama	Mr Kerenga Kua
Mr Assik Tommy Tomscoll	Mr Kila Haoda
Mr Ati Wobiro	Mr Koi Trape
Mr Ben Micah	Mr Leo Dion
Mr Benjamin Philip	Ms Loujaya Toni
Mr Benjamin Poponawa	Mr Louta Atoi
Mr Benny Allan	Mr Mai Dop
Mr Bob Dadae	Mr Malakai Tabar
Mr Boka Kondra	Mr Mao Zeming
Mr Byron Chan	Mr Mark Maipakai
Mr Charles Abel	Mr Michael Malabag
Mr Daniel Mona	Sir Michael Somare
Mr Davis Steven	Mr Mogerema Sigo Wei
Mr De Kewanu	Mr Nick Kuman
Ms Delilah Gore	Mr Nixon Duban
Mr Don Polye	Mr Nixon Mangape
Mr Douglas Tomuriesa	Mr Noah Kool
Mr Ereman Tobaining Jnr	Mr Paias Wingti
Mr Ezekiel Anisi	Mr Patrick Pruaitch
Mr Fabian Pok	Mr Paul Isikiel
Mr Francis Awesa	Mr Pesab Jeffery Komal
Mr Francis Potape	Mr Peter Ipatas
Mr Garry Juffa	Mr Peter O'Neill
Mr Gisuwat Siniwin	Mr Philip Undialu
Mr Gordon Wesley	Mr Powes Parkop
Mr Isaac Waigavara	Sir Puka Temu
Mr James Gau	Mr Richard Maru
Mr James Lagea	Mr Robert Atiyafa
Mr James Marape	Mr Robert Ganim
Mr Jeffery Kuave	Mr Ron Ganarafa
Mr Jim Kas	Mr Ronny Knight
Mr Jim Miringtoro	Mr Roy Biyama
Mr Jim Simatab	Mr Salio Waipo
Mr Joe Koim Komun	Mr Sasindra Muthuvel
Mr Joe Lera	Mr Solan Mirisim
Mr Joe Sungi	Mr Steven Kamma
Mr John Hickey	Mr Titus Philemon
Mr John Pundari	Mr Tobias Kulang
Mr John Simon	Mr Wera Mori
Mr Johnson Tuke	Mr Westley Nukundj
Mr Joseph Lelang	Mr William Duma
Ms Julie Soso Akeke	Mr William Powi
Sir Julius Chan	Mr William Tongamp

NOES, 0

And so, it was resolved in the affirmative with the concurrence of a two-thirds absolute majority as required by the *Constitution* – Proposed Law read a third time.

11 **CONSERVATION AND ENVIRONMENT PROTECTION AUTHORITY BILL 2013:** Mr John Pundari (Minister for Environment and Conservation), pursuant to notice, presented a Bill for an Act-

- (a) to provide for the conservation and protection of the environment in accordance with the Fourth National Goal and Directive Principle (*National Resources and Environment*) of the *Constitution*; and
- (b) to establish the Conservation and Environment Protection Authority; and
- (c) to repeal the *National Parks Act (Chapter 157)*, and for related purposes.

Bill read a first time.

Mr John Pundari moved – That the Bill be now read a second time.

Debate ensued.

Closure: Mr James Marape (Leader of Government Business) moved – That the question be now put.

Question – And the question - That the Bill be now read a second time – was put accordingly, and passed – Bill read a second time.

Message of the Governor-General – Recommendation for the expenditure of public monies: The Speaker announced that he had received a message from His Excellency the Governor-General, dated 18 February 2014, recommending the expenditure of public monies in accordance with Section 210 of the *Constitution* insofar as the Bill relates to and provides for such expenditure.

In the Committees

Bill, by leave, taken as a Whole.

On the motion of Mr John Pundari, the following amendments were made, after debate.

Clause 33 – page 19 -

1. The proposed Section 33 is deleted and replaced with the following:-

“33. **ENVIRONMENT MANAGEMENT FEES.**

(1) A person who –

- (a) is the holder of or applicant for an environment permit under the *Environment Act 2000*; or
- (b) has carried out, is carrying out or is proposing to carry out an activity within the meaning of the *Environment Act 2000* –
 - (i) which has resulted, is resulting or is likely to result in a change to the environment; or
 - (ii) which has caused, is causing or is likely to cause environmental harm within the meaning of the *Environment Act 2000*,

shall pay an environment management fee in respect of that environment permit or application or the carrying out or proposed carrying out of that activity, irrespective of whether or not that person holds or is required to hold an environment permit.

(2) An environment management fee is imposed as prescribed.

(3) The Managing Director may, by written notice in the prescribed form, issued to a person referred to in Subsection (1) an assessment of the environment management fee calculated as prescribed in respect of his environment permit or application or his carrying out or proposed carrying out of an activity of the kind referred to in Subsection (1) (b).

(4) A person to whom an assessment is issued under Subsection (1) may object to the assessment by notice given to the Board in the prescribed form and within the prescribed period.

(5) Where the Board receives an objection under Subsection (4), it shall within 45 days of receipt consider the objection and issue a decision in the prescribed form confirming or reducing the amount of the assessment.

(6) Notwithstanding anything to the contrary in the *Environment Act* 2000, payment of an environment management fee is a condition of a permit.

(7) Where a permit holder fails to pay an environment management fee within the prescribed time, in addition to any proceedings for recovery under Section 43, the permit is suspended until such time as the fee is paid or further action, including cancellation of the permit in accordance with Section 72 of *Environment Act* 2000, is taken in respect of the permit.

(8) Where an applicant for a permit fails to pay an environment management fee or any part of it within the prescribed time, in addition to any proceedings for recovery under Section 43, the process of application under the *Environment Act* 2000 is suspended until such time as the fee is paid or further action is taken in respect of the permit.

- (9) The Regulations may provide for -
- (a) the person or category of persons being required to pay an environment management fee; and
 - (b) the permit or activity in respect of which the environment management fee is payable; and
 - (c) the basis on which the amount of environment management fee payable is calculated; and
 - (d) the time at which the environment management fee becomes payable and the period of time in respect of which it is to be paid; and
 - (e) the variation, waiver and exemption from payment of environment management fees; and

- (f) the appointment of agents for the collection of environment management fees; and
 - (g) recovery procedures for environment management fees; and
 - (h) penalties and default penalties for non-payment of environment management fees; and
 - (i) actions which may be taken (including the suspension or cancellation of permits) in relation to the non-payment of environment management fees and default penalties;
 - (j) any other matter necessary or convenient for carrying out or giving effect to the calculation, imposition and collection of environment management fees.
- (10) The calculation of environment management fees under this section shall be made with regard to the following general principles:-
- (a) the principle of certainty, so that annual volatility in fees is minimised or the manner of calculation of fees is known in advance; and
 - (b) the principle of cost recovery, so that the Authority ensures that the aggregate fees it proposes to recover are sufficient to recover its forecast ongoing expenditure and to provide for unforeseen and emergency risk management expenditure; and
 - (c) the principle of fee minimisation, so that the Authority endeavours to minimise the fees payable, subject to the principle of cost recover; and
 - (d) the principle of non-discrimination, so that similarly situated persons undertaking the same activities subject to similar fee structures; and
 - (e) the principle of transparency, so that persons to be charged an environment management fee are informed of the rationale behind the fee-charging structure proposed by the Authority.”

Clause 37 – Page 21 -

The proposed Section 37 is deleted and replaced with the following:-

“37. BUDGET AND TAXATION.

- (1) The Managing Director shall, no later than five months before the commencement of each financial year, submit to the Board for its approval –
 - (a) an Annual Plan for that financial year which conforms to the priorities (if any) issued to it under Section 5; and
 - (b) a budget consists of estimates of receipts, borrowings and expenditure for that financial year.
- (2) Where the Board approves the Annual Plan and budget, it shall forward them to the Minister for his approval, and the Minister may –
 - (a) approve the Annual Plan and the budget; or
 - (b) return one or both of them to the Board for amendment.
- (3) Where the Minister approves the Annual Plan and budget under Subsection (2), he shall submit to the Minister responsible for Treasury matters a budget consisting of –
 - (a) the Authority’s receipts of funds under Section 32(1), excluding those received under Section 32(1)(a) and (e); and
 - (b) proposed borrowings by the Authority under Section 35; and
 - (c) the Authority’s expenditure of the funds and monies referred to in Paragraphs (a) and (b).
- (4) Where the Minister responsible for Treasury matters is satisfied as to the budget under Subsection (3) –
 - (a) he shall table it in the Parliament as soon as practicable, and in any event within seven sitting days of the Parliament; and
 - (b) it is subject to disallowance in whole or in part by decision of the Parliament taken within 7 days of their tabling; and
 - (c) where the Parliament has not disallowed it within 7 days of their tabling, it is deemed to have authorized the expenditure identified in the budget.
- (5) Where, in respect of any year, the Board considers that the amount to be received from environmental management fees will exceed the amount authorized by the National Parliament for that year (if any), the Board shall prepare a revised budget and submit that revised budget to the Minister for approval or amendment.
- (6) Where the Minister approves the revised budget submitted to him under Subsection (5) –
 - (a) the Minister responsible for Treasury matters shall table it in the Parliament as soon as practicable, and in any event within seven sitting days of the Parliament; and
 - (b) it is subject to disallowance in whole or in part by decision of the Parliament taken within 7 days of its tabling; and
 - (c) where the Parliament has not disallowed it within 7 days of its tabling, it is deemed to have accepted the revised budget and authorized the expenditure identified in it.
- (7) Nothing in this section shall be construed as limiting an amount that may be appropriated to the Authority from the Consolidated Revenue Fund.
- (8) For the purposes of Section 24 (1) of the *Income Tax Act* 1959, the Authority is a public authority constituted under this Act.”.

The remainder of the bill, taken together and agreed to.
Bill to be reported with amendments.

The Parliament resumed, the Deputy Speaker (Mr Gordon Wesley), reported accordingly.

Leave granted for the third reading to be moved forthwith.

On the motion of Mr John Pundari, the Parliament adopted the report.

Mr John Pundari moved – that the Bill be now read a third time.

And the question – That the Bill be now read a third time - put

Ordered – That the Bells be rung.

The Parliament voted (the Speaker, Mr Theo Zurenuoc, in the Chair) –

AYES, 85

Mr Aide Ganasi	Mr John Simon
Mr Ano Pala	Mr Johnson Tuke
Mr Anton Yagama	Mr Joseph Lelang
Mr Assik Tommy Tomscoll	Ms Julie Soso Akeke
Mr Ati Wobiro	Mr Justin Tkachenko
Mr Ben Micah	Mr Kelly Naru
Mr Benjamin Philip	Mr Kerenga Kua
Mr Benjamin Poponawa	Mr Kila Haoda
Mr Benny Allan	Mr Koi Trape
Mr Bob Dadae	Mr Leo Dion
Mr Boka Kondra	Ms Loujaya Toni
Mr Byron Chan	Mr Louta Atoi
Mr Charles Abel	Mr Mai Dop
Mr Daniel Mona	Mr Mao Zeming
Mr Davis Steven	Mr Mark Maipakai
Mr De Kewanu	Mr Mogerema Sigo Wei
Ms Delilah Gore	Mr Nick Kuman
Mr Don Polye	Mr Nixon Duban
Mr Douglas Tomuriesa	Mr Nixon Mangape
Mr Ereman Tobaining Jnr	Mr Noah Kool
Mr Ezekiel Anisi	Mr Paias Wingti
Mr Fabian Pok	Mr Patrick Pruaitch
Mr Francis Awesa	Mr Paul Isikiel
Mr Francis Potape	Mr Pesab Jeffery Komal
Mr Garry Juffa	Mr Peter O'Neill
Mr Gisuwat Siniwin	Mr Philip Undialu
Mr Gordon Wesley	Mr Powes Parkop
Mr Isaac Waigavara	Sir Puka Temu
Mr James Gau	Mr Richard Maru
Mr James Lagea	Mr Richard Mendani
Mr James Marape	Mr Robert Atiyafa
Mr Jeffery Kuave	Mr Robert Ganim
Mr Jim Kas	Mr Ron Ganarafo
Mr Jim Miringtoro	Mr Ronny Knight
Mr Jim Simatab	Mr Roy Biyama
Mr Joe Koim Komun	Mr Salio Waipo
Mr Joe Lera	Mr Sasindra Muthuvel
Mr Joe Sungi	Mr Solan Mirisim
Mr John Pundari	Mr Steven Kamma

Mr Titus Philemon
 Mr Tobias Kulang
 Mr Wera Mori
 Mr Westley Nukundj

Mr William Duma
 Mr William Powi
 Mr William Tongamp

NOES, 0

And so, it was resolved in the affirmative with the concurrence of a an absolute majority as required by the *Constitution* – Bill read a third time.

- 12 **ENVIRONMENT (AMENDMENT) BILL 2013:** Mr John Pundari (Minister for Environment and Conservation), pursuant to notice, presented a Bill for an Act to amend the *Environment Act 2000*.
 Bill read a first time.
 Mr John Pundari moved – That the Bill be now read a second time.
 Debate ensued.
 Question – That the question be now put – put and passed – Bill read a second
 Leave granted for the third reading to be moved forthwith
 On the motion of Mr John Pundari, the Bill was read a third time
- 13 **CONSERVATION AREAS (AMENDMENT) BILL 2013:** Mr John Pundari (Minister for Environment and Conservation), pursuant to notice, presented a Bill for an Act to amend the *Conservation Areas Act (Chapter 362)*.
 Bill read a first time.
 Mr John Pundari moved – That the Bill be now read a second time.
 Debate ensued.
 Question – That the question be now put – put and passed – Bill read a second
 Leave granted for the third reading to be moved forthwith
 On the motion of Mr John Pundari, the Bill was read a third time
- 14 **CROCODILE TRADE (PROTECTION) (AMENDMENT) BILL 2013:** Mr John Pundari (Minister for Environment and Conservation), pursuant to notice, presented a Bill for an Act to amend the *Crocodile Trade (Protection) Act (Chapter 213)*.
 Bill read a first time.
 Mr John Pundari moved – That the Bill be now read a second time.
 Debate ensued.
 Question – That the question be now put – put and passed – Bill read a second
 Leave granted for the third reading to be moved forthwith
 On the motion of Mr John Pundari, the Bill was read a third time
- 15 **INTERNATIONAL TRADE (FAUNA AND FLORA) (AMENDMENT) BILL 2013:** Mr John Pundari (Minister for Environment and Conservation), pursuant to notice, presented a Bill for an Act to amend the *International Trade (Fauna and Flora) Act (Chapter 391)*.
 Bill read a first time.

Mr John Pundari moved – That the Bill be now read a second time.
Debate ensued.

Question – That the question be now put – put and passed – Bill read a second
Leave granted for the third reading to be moved forthwith
On the motion of Mr John Pundari, the Bill was read a third time

- 16 **FAUNA (PROTECTION AND CONTROL) (AMENDMENT) BILL 2013:** Mr John Pundari (Minister for Environment and Conservation), pursuant to notice, presented a Bill for an Act to amend the *Fauna (Protection and Control) Act (Chapter 154)*.

Bill read a first time.

Mr John Pundari moved – That the Bill be now read a second time.
Debate ensued.

Question – That the question be now put – put and passed – Bill read a second
Leave granted for the third reading to be moved forthwith
On the motion of Mr John Pundari, the Bill was read a third time

- 17 **BUSINESS NAMES BILL 2013:** Mr Richard Maru (Minister for Trade and Industry), pursuant to notice, presented a Bill for an Act relating to *Business Names Bill 2013*.

Bill read a first time.

Mr Richard Maru moved – That the Bill be now read a second time.
Debate ensued.

Question – That the question be now put – put and passed – Bill read a second
Leave granted for the third reading to be moved forthwith
On the motion of Mr Richard Maru, the Bill was read a third time

- 18 **COMPANIES ACT (AMENDMENT) BILL 1997:** Mr Richard Maru (Minister for Trade and Industry), pursuant to notice, presented a Bill for an Act to amend the *Companies Act 1997* to reform the law relating to companies, and to facilitate on-line filing.

Bill read a first time.

Mr Richard Maru moved – That the Bill be now read a second time.
Debate ensued.

Question – That the question be now put – put and passed – Bill read a second
Leave granted for the third reading to be moved forthwith
On the motion of Mr Richard Maru, the Bill was read a third time

- 19 **ADJOURNMENT:** Mr James Marape (Leader of Government Business) moved – That the Parliament do now adjourn.

And then the Parliament at ten minutes past two o'clock p.m. adjourned until tomorrow at ten o'clock a.m..

MEMBERS PRESENT: All Members were present (at sometime during the sitting) except Dr Allan Marat, Mr Anderson Agiru, Mr Benden Namah, Mr Bire Kimisopa, Mr Camillus Dangima, Mr Charlie Benjamin, Mr David Arore, Mr Francis Marus, Mr Havila Kavo, Mr Joseph Yopyyopy, Mr Ken Fairweather, Mr Labi Amaiu, Mr Paul Tiensten, Mr Rimbink Pato, Mr Ross Seymour and Mr Sam Basil.

VELA KONIVARO
Clerk of the National Parliament